

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL NO. 1:05CV267

ALEXANDER McCORMACK, and	)	
wife, JEAN McCORMACK,	)	
	)	
Plaintiffs,	)	
	)	
Vs.	)	ORDER DISMISSING
	)	CLAIMS AGAINST
A. W. CHESTERTON, INC., <i>et al.</i> ,	)	ALLIS-CHALMERS CORP.
	)	
Defendants.	)	
	)	

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**THIS MATTER** is before the Court on the Plaintiffs' motion to dismiss their claims against Allis-Chalmers Corporation Product Liability Trust without prejudice. The Defendant Trust has consented to the dismissal.

For the reasons stated in the motion,

**IT IS, THEREFORE, ORDERED** that the Plaintiffs' motion is **ALLOWED**, and Plaintiffs' claims made against this Defendant Trust are hereby **DISMISSED WITHOUT PREJUDICE**.

Signed: June 13, 2006

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

